

1 Carmine D. Boccuzzi, Jr. (pro hac vice)  
2 Cleary Gottlieb Steen & Hamilton LLP  
3 One Liberty Plaza  
4 New York, New York 10006  
5 (212) 225-2000 (Phone)  
6 (212) 225-3999 (Facsimile)  
7 cboccuzzi@cgsh.com

8 Jennifer Kennedy Park (SBN 244888)  
9 Cleary Gottlieb Steen & Hamilton LLP  
10 1841 Page Mill Road, Suite 250  
11 Palo Alto, CA 94304  
12 (650) 815-4100 (Phone)  
13 jkpark@cgsh.com

14 *Counsel for Defendants*  
15 *Robert Bosch GmbH and*  
16 *Robert Bosch LLC*

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

*In re: Volkswagen 'Clean Diesel' Marketing,  
Sales Practices, and Products Liability  
Litigation*

This document relates to:

*Iconic Motors, Inc., et al. v. Volkswagen  
Group of America, Inc., et al.*, No. 3:17-cv-  
3185-CRB

LEAD CASE No. 15-md-02672-CRB

**BOSCH DEFENDANTS'  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

Hon. Charles R. Breyer

Pursuant to Local Civil Rule 79-5(d)-(f), Robert Bosch GmbH and Robert Bosch LLC (together, the “Bosch Defendants”) seek leave to file under seal portions of the Bosch Defendants’ Motion for Summary Judgment and Memorandum of Points and Authorities in Support Thereof (“Brief”), and to seal in their entirety Exhibits 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, and 15 to the accompanying Declaration of Patrick Swiber in Support of Bosch Defendants’ Motion for Summary Judgment.

These exhibits are documents that Plaintiffs have designated “Confidential” under the Stipulated Protective Order Governing Individual Dealer Actions, ECF No. 5180 (“Protective Order”), and the Brief contains information from these documents. Paragraph 12.3 of the Protective Order prohibits the Bosch Defendants from filing this information publicly without written permission from the designating party. The Bosch Defendants therefore respectfully seek leave to file these materials under seal to permit Plaintiffs the opportunity to justify continued sealing under Local Civil Rules 79-5(c) & (f)(3).

Dated: September 11, 2024

By: /s/ Carmine D. Boccuzzi, Jr.  
 Carmine D. Boccuzzi, Jr. (pro hac vice)  
 CLEARY GOTTlieb STEEN &  
 HAMILTON LLP  
 One Liberty Plaza  
 New York, New York 10006  
 (212) 225-2000 (Phone)  
 (212) 225-3999 (Facsimile)  
 cboccuzzi@cgsh.com

Jennifer Kennedy Park (SBN 244888)  
 CLEARY GOTTlieb STEEN &  
 HAMILTON LLP  
 1841 Page Mill Road, Suite 250  
 Palo Alto, CA 94304  
 (650) 815-4100 (Phone)  
 jkpark@cgsh.com

*Counsel for Defendants*  
*Robert Bosch GmbH and*  
*Robert Bosch LLC*

**Certificate of Service**

**[28 U.S.C. §1746]**

Re: Iconic Motors, Inc., et al. v. Volkswagen Group of America, Inc., et al.

I, Clay McKeon, Senior Docket Clerk in the Washington, DC office of Cleary Gottlieb Steen & Hamilton LLP, declare that I served the following documents by email on counsel listed below:

- Bosch Defendants' Motion for Summary Judgment
- Exhibit 1 - ICONIC012271-ICONIC012272
- Exhibit 2 - ICONIC011910-ICONIC011912
- Exhibit 3 - ICONIC018331-ICONIC018332
- Exhibit 4 - Plaintiff Elgin Volkswagen's Response to Robert Bosch LLC and Robert Bosch GmbH's Requests for Admission
- Exhibit 5 - ICONIC013416-ICONIC013417
- Exhibit 6 - ICONIC000830-000856
- Exhibit 7 - ICONIC000570
- Exhibit 8 - a PDF of the report available at the website  
<https://www.autonews.com/assets/PDF/CA94261421.PDF> as of September 10, 2024
- Exhibit 9 - a PDF of the report available at the website  
[https://haigpartners.com/wp-content/uploads/2020/12/HaigReport\\_YE\\_2014.pdf](https://haigpartners.com/wp-content/uploads/2020/12/HaigReport_YE_2014.pdf)  
as of September 10, 2024
- Exhibit 10 - a PDF of tab 106007 of ICONIC024102, which Plaintiffs produced in Native format
- Exhibit 11 - ICONIC011615- ICONIC011626
- Exhibit 12 - ICONIC010983
- Exhibit 13 - ICONIC004762-ICONIC004771
- Exhibit 14 - ICONIC000191-ICONIC000303
- Exhibit 15 - ICONIC000022-000166

Ira M. Levin  
**Burke Warren MacKay and Serritella, P.C.**  
330 North Wabash Avenue  
21st Floor  
Chicago, IL 60611  
Email: ilevin@burkelaw.com

Andrew Douglas LeMar  
**Burke Warren MacKay & Serritella PC**  
330 N. Wabash Avenue  
22nd Floor  
Chicago, IL 60611-3607  
Email: alemar@burkelaw.com

Danielle Jean Gould  
**Burke Warren Mackay & Serritella, P.C.**  
330 North Wabash, 22nd Floor  
Chicago, IL 60611  
Email: dgould@burkelaw.com


Eric Peter VanderPloeg  
**Burke, Warren, MacKay, Serritella, P.C.**  
330 N. Wabash Ave.  
21st Floor  
Chicago, IL 60611  
Email: evanderploeg@burkelaw.com

*Counsel for Iconic Motors, Inc. and Slevin Capital Investments, Inc.*

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2024 in Washington, DC.

Dated: September 11, 2024

  
\_\_\_\_\_  
Clay McKeon